

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

MICHAEL E. KENNEDY

*

*

v.

*

Civil Action No. CCB-15-1340

UNITED STATES OF AMERICA

*

*

MEMORANDUM

Petitioner Michael E. Kennedy has filed in this court a writ of error *coram nobis* seeking to overturn his 1980 conviction in the Southern District of California for rape and felony murder. *See United States v. Kennedy*, 714 F.2d 968 (9th Cir. 1983). The complicated and lengthy procedural history of his prior challenges to these convictions need not be repeated here. As noted in the government’s response to Kennedy’s petition, subject matter jurisdiction over a petition for writ of error *coram nobis* lies with the court that had jurisdiction over the original criminal case, as *coram nobis* is essentially a “belated extension” of the original case. *United States v. Denedo*, 556 U.S. 904, 913 (2009) (explaining that “the All Writs Act and the extraordinary relief the statute authorizes are not a source of subject-matter jurisdiction”). Kennedy’s reply to the government’s response does not persuasively challenge this conclusion. Accordingly, the petition will be dismissed by separate Order which follows.

November 18, 2015
Date

/S/
Catherine C. Blake
United States District Judge